IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT APPEAL No. 123 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 11/01/2005 in WP No. 83 OF 2005 on the file of the High Court.)

Between:

Nunna Venkata Rao, S/o. Balakrishnaiah,
R/o. Christianpet, 1st Line, Kavali, Nellore District.

..... APPELLANT

AND

1.The Revenue Divisional Officer, Kavali, Nellore District.
2.The Mandal Revenue Officer, Kavali, Nellore District.
3.The Commissioner, Kavali Municipality, Kavali, Nellore District.

.....RESPONDENTS

Counsel for the Appellant: Mr. V.R.MACHAVARAM

Counsel for the Respondent Nos.1 & 2: GP FOR REVENUE

Counsel for Respondent No.3: Mr.S.Nageswara Reddy

The Court made the following :

ORAL JUDGMENT:

(per Honourable Sri Devinder Gupta, the Chief Justice)

We see no ground to interfere in this Writ Appeal with the order passed by the learned Single Judge relegating the petitioner to the remedy of civil suit, which he had already filed, and, in which, he had obtained interim order.

Learned counsel for the appellant submits that after filing of the Writ Petition, on 28.1.2005, show cause notice was issued by the Mandal Revenue Officer. This show cause notice is not under challenge in the writ petition, and, against show cause notice, there cannot be any interjection by this court of the proceedings at the preliminary stage.

The Writ Appeal, therefore, is dismissed. No costs.

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DEVINDER GUPTA, C.J.

7.2.2005.

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M.NARAYANA REDDY, J.

VR.

To

1.The Revenue Divisional Officer, Kavali, Nellore District.
2.The Mandal Revenue Officer, Kavali, Nellore District.
3.The Commissioner, Kavali Municipality, Kavali, Nellore District.

4. Two CCs to Government Pleader for Revenue, High Court Buildings, Hyderabad (OUT).

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